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December 18, 2019

**Via ECF**

The Honorable Analisa Torres  
United States District Court  
For the Southern District of New York  
500 Pearl Street  
New York, NY 10007

**Re: *Delacruz v. Bed Bath & Beyond Inc.*, No. 1:19-cv-09852-AT**  
**Request to Extend Time to Respond and to Adjournment of Initial Conference**

Dear Judge Torres:

We represent defendant Bed Bath & Beyond Inc. ("Defendant") in the above-referenced action. Pursuant to Rules I(B) and I(C) of Your Honor's Individual Practices, we write with the consent of counsel for plaintiff Emanuel Delacruz ("Plaintiff"), respectfully to request that the Court: (A) extend Defendant's time to respond to the Complaint from January 3, 2020 to February 3, 2020, and (B) adjourn the initial conference scheduled for January 7, 2020 at 1:20 p.m. to a date and time after the extended response deadline that is convenient to the Court. Defendant previously requested an extension of time to respond to the Complaint in order to permit counsel for Defendant, who had recently been engaged in this matter, to become familiar with the facts and allegations contained in the Complaint. The Court granted Defendant's request. Defendant has not previously requested to adjourn the initial conference.

In support of this request, counsel for Defendant states that this extension, if granted, will permit counsel for Defendant additional time to prepare Defendant's response to the Complaint. Defendant requests a corresponding adjournment of the initial conference so that Defendant can submit its response to the Complaint prior to preparing and submitting the required pre-conference submissions (which are currently due between the period of Christmas and New Year's) and appearing before the Court. As noted, Plaintiff's counsel consents to this request.

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We thank the Court in advance for its consideration of this request.

Respectfully submitted,

*/s/ Michael F. Fleming*

Michael F. Fleming

*Attorney for Defendant*

cc: All Counsel of Record (via ECF)

GRANTED in part, DENIED in part. By  
**January 17, 2020**, Defendant shall answer or  
otherwise respond to the complaint. The initial  
pretrial conference shall remain scheduled for  
**January 7, 2020**.

SO ORDERED.

Dated: December 18, 2019  
New York, New York



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ANALISA TORRES  
United States District Judge